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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,773	11/21/2003	Erik N. Steen	135273 (AT 12553-01042)	2896

7590	07/20/2006

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EXAMINER
PRENDERGAST, ROBERTA D

ART UNIT	PAPER NUMBER
2628	

DATE MAILED: 07/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 05 July 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

    a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

    b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

    Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

    (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

    (b) ☐ They raise the issue of new matter (see NOTE below);

    (c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

        NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _____.

    Claim(s) objected to: _____.

    Claim(s) rejected: *1-38*.

    Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
    See Continuation Sheet.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.

13. ☐ Other: _____.

ULKA CHAUHAN
SUPERVISORY PATENT EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because: Applicant argues, with regards to claims 1, 16 and 25 "...The system of Hatfield et al. simply does not render ultrasound images using rendering shapes. Hatfield et al. describes formatting an image or multiple images such that a graphics overlay is superimposed on the displayed image(s) (column 2, lines 2-4 and 57-60). As is known, these graphics overlay may be used, for example, to provide modality image measurements, image guided interventions, image archiving etc. However, there is simply no description or suggestion of using rendering shapes as recited in independent claims 1, 16 and 25. The graphics overlays described in Hatfield et al. are simply visual enhancements superimposed on displayed images and are not shapes tltat are used to form an image. Accordingly, the combination of Hatfield et al. and Hossack et al. fails to describe or suggest at least some of the elements recited in independent claims 1, 16 and 25...." Examiner respectfully submits that Hatfield teaches a vertex data block storing vertex entries that define rendering shapes (Figs. 1(element 18) and 6(element 70, 72, and 78); column 2, lines 39-63; column 4, lines 24-43, i.e. coordinate transformation of the colorflow and B-mode data is performed to produce appropriately scaled coordinate display pixel data in x-y graphics memory and the graphics data produces graphics overlays that are understood to be the rendering shapes defined by the vertex entries), and rendering plane definitions (Figs. 1(element 24) and 6(element 80); column 2, lines 50-65; column 9, lines 16-45, i.e. it is understood that the image plane graphics memory contains rendering plane definitions), where the graphics processing unit accesses the image data entries and vertex entries to render a volume according to the rendering plane definitions with blending parameters for selected image data entries (columns 8-9, lines 52-11; column 9, lines 45-67; column 10, lines 3-19; column 11, lines 47-66; column 12, lines 1-5, i.e. the graphics processing unit accesses the image data entries to retrieve the scaled image plane data and then accesses the vertex entries to supply the region of interest pixels to the convolution filter and then filters the pixels according to the weighting coefficients/blending parameters stored in the look-up table at which time the projection technique is applied until all projected images are stored in cine memory and can then be selected by an operator for display).